

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

PHILLIP ESQUIBEL aka PHILLIP ESQUIBAL,)

Defendant.)

3:11-CR-132-RCJ (WGC)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on June 11, 2012, defendant PHILLIP ESQUIBEL aka PHILLIP ESQUIBAL pled guilty to Count One of a One-Count Criminal Indictment charging him with Possession of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B). Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 17; Plea Memorandum, ECF No. 20.

This Court finds defendant PHILLIP ESQUIBEL aka PHILLIP ESQUIBAL agreed to the forfeiture of the property set forth in Forfeiture Allegation of the Criminal Indictment. Indictment, ECF No. 1; Change of Plea Minutes, ECF No. 17; Plea Memorandum, ECF No. 20.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegation of the Criminal Indictment and the offense to which defendant PHILLIP ESQUIBEL aka PHILLIP ESQUIBAL pled guilty.

...

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section
2 2253:

- 3 1. One Sony Viao Computer, Model VGN-S460P, Serial No. 281980303103210;
- 4 2. Acomdata External Hard Drive/Western Digital 160 gigabyte drive;
- 5 3. Maxtor 250 gigabyte hard drive;
- 6 4. Once Sony Viao Desktop Computer, Model PCV-RZ14G, Serial No.
7 284709343007987; and
- 8 5. any book, magazine, periodical, film, videotape, or other matter which contains
9 any such visual depiction, which was produced, transported, mailed, shipped,
10 or received in violation of Title 18, United States Code, Section
11 2252A(a)(5)(B) ("property").

12 This Court finds the United States of America is now entitled to, and should, reduce the
13 aforementioned property to the possession of the United States of America.

14 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
15 United States of America should seize the aforementioned property.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
17 PHILLIP ESQUIBEL aka PHILLIP ESQUIBAL in the aforementioned property is forfeited and
18 is vested in the United States of America and shall be safely held by the United States of America
19 until further order of the Court.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
21 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
22 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
23 the time under the applicable statute when a petition contesting the forfeiture must be filed, and
24 state the name and contact information for the government attorney to be served with the petition,
25 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

26 ...

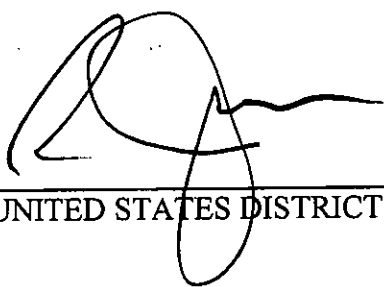
1 ...
2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
3 with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building, 400 South
4 Virginia Street, 3rd Floor, Reno, NV 89501.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
6 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
7 following address at the time of filing:

8 Greg Addington
9 Assistant United States Attorney
10 100 West Liberty Street, Suite 600
11 Reno, NV 89501

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
13 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
14 following publication of notice of seizure and intent to administratively forfeit the above-described
15 property.

16 DATED this 20 day of August, 2012.

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20 UNITED STATES DISTRICT JUDGE
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